

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

CYBERFONE SYSTEMS, LLC,

Plaintiff,

v.

AMAZON.COM, INC., ET AL.,

Defendants.

C.A. No. 1:11-cv-831-SLR

**DEMAND FOR JURY TRIAL**

**PLAINTIFF CYBERFONE SYSTEMS, LLC'S ANSWER TO DEFENDANT  
MARRIOTT INTERNATIONAL, INC.'S COUNTERCLAIMS**

Plaintiff CyberFone Systems, LLC ("CyberFone"), by and through its undersigned counsel, answers the Counterclaims of Defendant Marriott International, Inc. ("Marriott") by corresponding paragraph number as follows:

1. Admitted.

2. Admitted that CyberFone was a Virginia limited liability company at the time it filed the First Amended Complaint. CyberFone is now a Texas limited liability company with a principal place of business at 719 W. Front Street, Suite 242, Tyler, Texas 75702.

**Jurisdiction and Venue**

3. Admitted.

4. Admitted.

**COUNT ONE: DECLARATORY JUDGMENT OF NON-INFRINGEMENT**

5. CyberFone incorporates its response to paragraphs 1 through 4 of Marriott's counterclaims as if fully set forth herein.

6. Admitted.

7. Admitted.

8. Admitted.

9. CyberFone denies the merits of the allegations in paragraph 9 of Marriott's counterclaims.

10. Admitted.

11. Denied.

**COUNT TWO: DECLARATORY JUDGMENT OF PATENT INVALIDITY**

12. CyberFone incorporates its response to paragraphs 1 through 11 of Marriott's counterclaims as if fully set forth herein.

13. CyberFone denies the merits of the allegations in paragraph 13 of Marriott's counterclaims.

14. Admitted.

15. Denied.

**DEMAND FOR JURY TRIAL**

CyberFone demands a trial by jury on all issues so triable.

WHEREFORE, CyberFone prays for the following relief with regard to Marriott's counterclaims:

- A. A dismissal with prejudice of Marriott's counterclaims;
- B. An adjudication that Marriott is not entitled to any relief on its counterclaims, including, without limitation, any fine or damages; and
- C. Costs and such further relief to which CyberFone is entitled, and which the Court deems just and equitable.

February 10, 2012

Of Counsel:

Marc A. Fenster  
Bruce D. Kuyper  
Fredricka Ung  
Russ August & Kabat  
12424 Wilshire Boulevard, 12th Floor  
Los Angeles, CA 90025-1031  
(310) 826-7474  
mfenster@raklaw.com  
bkuyper@raklaw.com  
fung@raklaw.com

BAYARD, P.A.

/s/ Vanessa R. Tiradentes

Richard D. Kirk (rk0922)  
Stephen B. Brauerman (sb4952)  
Vanessa R. Tiradentes (vt5938)  
222 Delaware Avenue, Suite 900  
Wilmington, DE 19801  
(302) 655-5000  
rkirk@bayardlaw.com  
sbrauerman@bayardlaw.com  
vtiradentes@bayardlaw.com

Attorneys for Plaintiff,  
CyberFone Systems, LLC